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SUBJECT: KRG CONSTITUTION: KURDS HOPE TO ENTICE MINORITIES

REF: TURKISH NEWS AGENCY 1/30 INTERVIEW WITH PRES. TALBANI, REPORTED IN "THE NEW ANATOLIAN"

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CLASSIFIED BY: RBELL, PRC, PRC, DOS.  
REASON: 1.4 (b), (d)

#### SUMMARY

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¶1. (C) The KNA's Constitutional Committee continues to work on a KRG Constitution. Members expect further changes. In the next few weeks, the committee is supposed to send the draft to party leaders. Once they have blessed it, the committee will issue it for public comment. KNA Deputy Speaker Kirkuki told RC(A) he would welcome USG comment on it then. Kurdish leaders say the KRG constitution will not conflict with the national constitution. The KDP opposes KIU efforts to increase the role of Islam. The Kurds intend to spell out minority rights in the KRG constitution in hopes of enticing minorities' support for Kurdistan. The head of the KNA's Turcoman bloc dismissed President Talabani's remarks about granting the Turcomans "autonomy," though, as fluff; he said the Turcomans were not asking for autonomy. Both the KNA's Speaker and Deputy Speaker complained to RC(A) that the Turks were secretly stirring up problems; they asked for U.S. help. The Kurds want a KRG constitution to endorse Kirkuk as the KRG capital, so the timing and method of the constitution's adoption are linked to the status of Kirkuk. END SUMMARY.

¶2. (C) The Acting Regional Coordinator (RC(A)) spoke February 2 separately with Kurdistan National Assembly Speaker Adnan Mufti (Patriotic Union of Kurdistan), Deputy Speaker Kamal Kirkuki (Kurdistan Democratic Party), and Kirkhi Alti Barmakh, the leader of the KNA's Turcoman bloc and MP from the Turcoman Democratic Party, which is close to the KDP. The latter two are members of the KNA's constitution committee.

#### NEXT STEPS

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¶3. (SBU) The KNA's Constitutional Committee continues to work on a KRG Constitution. Kirkhi expects further changes. In the next few weeks (according to Mufti), the committee will finish its work and send the draft to party leaders a second time for review. Once party leaders have blessed it, the committee will formally put it out for public comment, including from NGOs. Kirkuki said he would welcome USG comment then. The KNA Constitution Committee will then review the public comments and again work on the draft. After the committee is done, they will vote it out to the KNA for debate.

## HOPING TO CALM MINORITIES

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¶4. (C) Compatible with National Constitution: All leaders have said repeatedly the KRG constitution would not conflict with the national constitution. Kirkuki told the RC(A) the KDP opposed efforts by the Kurdistan Islamic Union to increase the role of Islam as a source for legislation. He said it could not be more than what it was in the national constitution. His personal preference would be that it should be less.

¶5. (C) Minority Rights: The Kurds intend to spell out minority rights in the KRG constitution in hopes of reassuring minorities that they would have a bright future as part of Kurdistan. The KRG constitution will at least reaffirm minority rights given in the national constitution. The constitution would also guarantee minorities they need not become Kurdish (i.e., ban the "ethnic correction" of Saddam's Iraq). Kirkuki said minorities did not want the constitution to distinguish between ethnic/religious groups for individual rights, but did want the constitution to reaffirm minority groups' existence.

¶6. (C) Turcomans: Mufti said the Turcomans needed to be more realistic, given how the national vote revealed there were only 1-1.5 million Turcomans in Iraq. He implied the Kurdish leadership would not hesitate politically to point out to Turcomans they did not have any practical possibility of joining Turkey. He also pointed to the declining vote totals of the (pro-Turkish) Iraqi Turkman Front. When asked about President Talabani's remarks to the press that the KRG was granting Turcomans "autonomy" (ref), Turcoman Kirkhi dismissed them as comforting words for Turkey and the region; they were not based on anything real. Kirkhi said Turcomans were not asking for autonomy. PUK Deputy GenSec Nochirwan Mustapha told the British Consul General the remark was to recognize the Turcomans as the

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second nationality in Kurdistan. He envisaged greater representation in local civil society organizations, better representation in municipal bodies (e.g., governor or mayor), greater control for local schooling and more TV and radio stations.

¶7. (C) Turkey "Causing Problems": The PUK's Mufti said the KRG would seek good relations with Turkey, partly to assuage the Turcomans. (COMMENT: The PUK, based in the eastern part of Iraq, historically has been less hostile to Turkey than the KDP, whose territory abuts Turkey. END COMMENT.) Both he and Kirkuki complained that recently the Turks were secretly stirring up problems for the Kurds. They asked for U.S. help.

¶8. (C) Minority Issue: Kirkhi complained that the current constitutional draft's preface said "Kurdistan consists of the Kurdish people and other minorities...." He wanted it to say instead that "Kurdistan consists of the Kurdish people, Turcomans" etc. with no mention of minorities. By contrast, Kirkuki said the Kurds had reached an agreement with the Turcomans. Kirkuki said the Christians continued to argue among themselves about how to characterize themselves, but the Kurds had no problem with them. He said most of the Christians were satisfied with the national constitution's separate naming of the Assyrians and Chaldeans. The Syriacs now were looking to be named. (COMMENT: Kirkuki's message was that the Kurds would adopt whatever way minorities wanted to describe themselves. Some Christians want Christians named as one community; others want them listed as separate communities. END COMMENT.)

## PREPARING FOR KIRKUK TO JOIN KRG

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¶9. (C) The KNA will need to decide whether to adopt the KRG constitution by KNA vote, or submit it to a public referendum. Kurdish parties want a constitution to endorse Kirkuk as the KRG capital, so adoption is linked to the city's status. Kirkhi thought the KRG would wait to vote on the constitution until after a referendum on Kirkuk's status; in a separate conversation, Kirkuki favored going "slowly." Speaking

personally, Mufti told RC(A) he thought the KNA should initially adopt the constitution without a referendum. When Kirkuk joined the KRG at the end of 2007, the constitution would have to be amended (read: to add Kirkuk provisions etc.). He thought the KNA could then put the constitutional amendments to a referendum, then winning public approval for the constitution by those additional areas of the province (along with those now in the KRG).

¶10. (C) Kurdish Settlement in Kirkuk: Both Mufti and Kirkuki raised the status of Kirkuk. Mufti said many Kurds from Kirkuk remained in the north, too worried about the security situation to return to Kirkuk. He insisted that the Kurds settling in Kirkuk city were those originally from rural parts of the province (e.g., destroyed villages), not originally from elsewhere as other ethnicities charge. He said that most Turcomans expelled from Kirkuk in Saddam's time had fled the country, now had better lives in Turkey and therefore were unwilling to return. He argued it was not the Kurds' fault if Kurds were returning to Kirkuk because they were still in Iraq while Turcomans were not returning because they lived happily in other countries.

¶11. (C) U.S. Bases: All three mentioned they hoped the U.S. would establish bases or stay permanently in the Kurdish region. RC(A) repeated that the U.S. was not interested in permanent bases in Iraq, but would stay the course to help the country.  
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